

Alphonse Fletcher, Jr.
48 Wall Street, Fourth Floor
New York, NY 10005
(212) 284-4800
AFletcher@Fletcher.com

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

FILED
U.S. BANKRUPTCY COURT
2014 NOV 13 P 4:43
S.D. NY

In re: FLETCHER INTERNATIONAL, LTD. Debtor	Chapter 11 Case No. 12-12796 (REG)
ALPHONSE FLETCHER, JR., (<i>pro se</i>) Appellants, v. RICHARD J. DAVIS, ESQ. Appellees	On Appeal from the United States Bankruptcy Court for the Southern District of New York (Hon. Robert E. Gerber)

**DESIGNATION OF THE ITEMS TO BE INCLUDED IN THE RECORD ON APPEAL
AND A STATEMENT OF ISSUES TO BE PRESENTED ON APPEAL FROM THE
BANKRUPTCY COURT'S SETTLEMENT AGREEMENT BETWEEN
FLETCHER INTERNATIONAL, LTD. AND CREDIT SUISSE**

In accordance with the requirements of Federal Rule of Bankruptcy Procedure 8006, Alphonse Fletcher, Jr., *pro se*,¹ respectfully submits the following statement of issues to be presented, and designation of record items to be included, in the record on appeal in connection with the Notice of Appeal filed on the 29th day of October, 2014 [Docket 655]. The Notice of Appeal was filed to appeal the Bankruptcy Court's October 16, 2014 Order Approving the Settlement Agreement Between Fletcher International, Ltd. and Credit Suisse [Docket 648].

¹ I respectfully request the Court's permission to correct any errors, mistakes, or omissions.

STATEMENT OF ISSUES ON APPEAL

Whether the Bankruptcy Court committed an error of law or an abuse of discretion in

- ruling that there existed “no disputed issues of material fact”
- denying the request for an evidentiary hearing, and
- ruling that the settlement “is in the best interests of the Debtor and its estate, creditors, investors and other parties-in-interest,”

given that the record of these proceedings and the entire record of the case detail

- material and irreconcilable contradictions between the Trustee’s Report and the documentary evidence,
- a lack of the arms-length negotiations necessary for approval of the settlement,
- credible and supported allegations against and partial belated admissions by the Trustee and his advisors of undisclosed connections which violate of Federal Rules of Bankruptcy Rule 2014, and
- credible and supported allegations against the Trustee and his advisors of partially disclosed and undisclosed connections to parties directly involved in the disputes underlying this settlement.

DESIGNATION OF RECORD ITEMS FOR APPEAL

The Appellant submits the following items, together with all exhibits, schedules and other attachments thereto (including but not limited to, the exhibits, schedules and other attachments specifically designated below), for inclusion in the record of the Appeal:

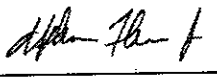
Item No.	Docket No.	Date	Description
1	80	8-31-2012	Motion to Approve Use of Cash Collateral - Motion for Approval of Stipulation for the Use of Cash Collateral of Credit Suisse Entities filed by Daniel F.X. Geoghan
2	143	11-7-2012	Declaration of Stephan E. Hornung in Support of the Chapter 11 Trustee's Motion for Entry of an Order (i) Authorizing the Trustee to Issue Subpoenas for the Production of Documents and to Examine Persons and Entities
3	149	11-9-2014	Ordered Amended Stipulation And Final Order By And Between Chapter 11 Trustee And Credit Suisse Securities (USA) LLC (A) Authorizing The Use Of Cash Collateral
4	617	8-26-2014	Motion to Approve Plan Administrator's Motion for Entry of an Order Pursuant to Bankruptcy Rule 9019(a) Approving the Settlement Agreement Between Fletcher International, Ltd. and Credit Suisse filed by Michael Luskin
5	618	8-26-2014	Notice of Presentment of Plan Administrator's Motion for Entry of an Order Pursuant to Bankruptcy Rule 9019(a) Approving the Settlement Agreement Between Fletcher International, Ltd. and Credit Suisse filed by Michael Luskin
6	630	9-12-2014	Objection to Motion /Objection to Plan Administrator's Motion for Entry of an Order Pursuant to Bankruptcy Rule 9019(a) Approving the Settlement Agreement Between Fletcher International, Ltd. and Credit Suisse filed by Stewart Turner.
7	631	9-12-2014	Objection to Plan Administrator's Motion for Entry of an Order Pursuant to Bankruptcy Rule 9019(a) Approving the Settlement Agreement Between Fletcher International, Ltd. and Credit Suisse filed by Alphonse Fletcher Jr..

Item No.	Docket No.	Date	Description
8	640	10-10-2014	Declaration of Richard J. Davis in Support of Plan Administrator's Motion for Entry of an Order Pursuant to Bankruptcy Rule 9019(a) Approving the Settlement Agreement Between Fletcher International, Ltd. and Credit Suisse filed by Michael Luskin
9	641	10-10-2014	Response Plan Administrator's Response to Objections of Alphonse Fletcher, Jr. and Stewart Turner to Motion for Entry of an Order Pursuant to Bankruptcy Rule 9019(a) Approving the Settlement Agreement Between Fletcher International, Ltd. and Credit Suisse filed by Michael Luskin
10	645	10-14-2014	Response Plan Administrator's Response to Objections of Alphonse Fletcher, Jr. and Stewart Turner to Motion for Entry of an Order Pursuant to Bankruptcy Rule 9019(a) Approving the Settlement Agreement Between Fletcher International, Ltd. and Credit Suisse (related document(s)641) filed by Stewart Turner
11	649	10-16-2014	Transcript regarding Hearing Held on October 15, 2014 RE: Motion Filed by the Plan Administrators for Entry of an Order Approving the Settlement Agreement Between Fletcher International, Ltd. and Credit Suisse.
12	648	10-16-2014	Order Signed on 10/16/2014 Approving the Settlement Agreement Between Fletcher International, Ltd. and Credit Suisse.
13	655	10-29-2014	Notice of Appeal

Dated: November 13, 2014

Respectfully Submitted,

ALPHONSE FLETCHER, JR.

By: 

Alphonse Fletcher Jr.

Address: 188 Minna Street

San Francisco, CA 94105

Phone: (415)702-0070

Email: AFletcher@Fletcher.com

CERTIFICATE OF SERVICE

I certify that on November 13, 2014, I served the foregoing motion via UPS Express, the CM/ECF Electronic Filing system, or electronic mail on the following:

Office of The United States Trustee
U.S. Federal Office Building
201 Varick Street, Suite 1006
New York, NY 10014
Richard C. Morrissey, Esq.
Richard.Morrissey@usdoj.gov

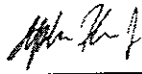
Richard J. Davis, Esq.
415 Madison Ave.
11th Floor
New York, NY 10017
richard.davis@rjdavislaw.com
Chapter 11 Trustee

LUSKIN, STERN & EISLER LLP
Eleven Times Square
8th Ave. & 41st St.
New York, NY 10036
Michael Luskin, Esq.
luskin@lsellp.com
Stephan Hornung
hornung@lsellp.com
Counsel to the Chapter 11 Trustee

—
Dated: November 13, 2014

Respectfully Submitted,

ALPHONSE FLETCHER, JR.

By: 
Alphonse Fletcher Jr.
Address: 188 Minna Street
San Francisco, CA 94105
Phone: (415)702-0070
Email: AFletcher@Fletcher.com